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Mr. William F. Caton, Acting Secretary  
Federal Communications Commission  
1919 M Street, N.W.  
Washington, D.C. 20554

Re: CS Docket No. 95-184 And MM Docket No. 92-260  
Notice Of Oral *Ex Parte* Presentation

Dear Mr. Caton:

On February 11, 1994, Dan Brenner of NCTA and the undersigned, representing Time Warner Cable, met with Meredith Jones, Chief of the Cable Services Bureau, and members of her staff regarding positions on the issues raised in the Commission's Notice of Proposed Rulemaking in CS Docket No. 95-184 and the Further Notice of Proposed Rulemaking in MM Docket No. 92-260. The substance of these discussions is contained in the attached talking points paper.

Should you have any questions regarding this presentation, please contact the undersigned.

Respectfully submitted,

  
Craig A. Gilley  
Counsel for Time Warner Cable

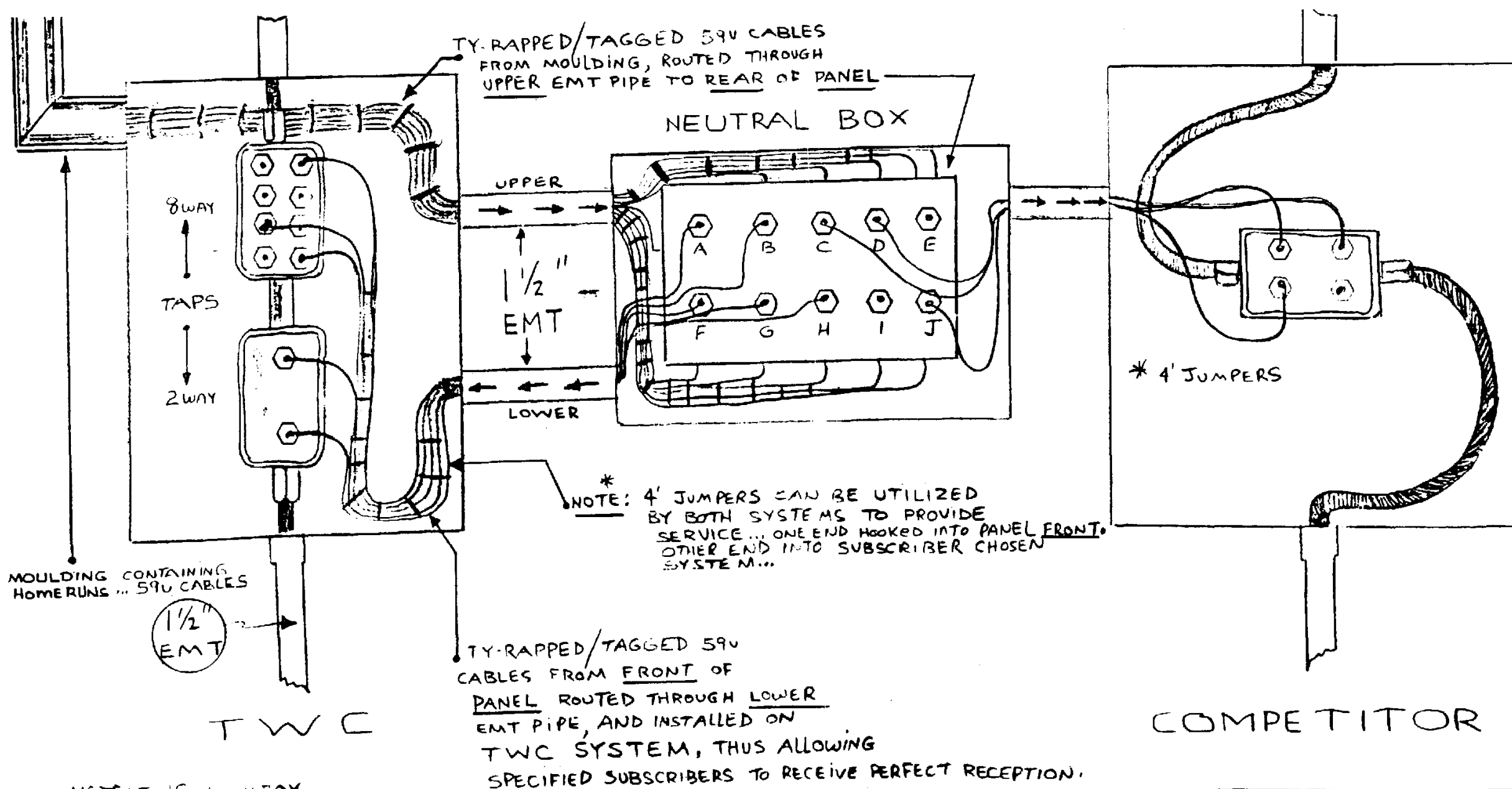
cc: Meredith Jones, Esq.  
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**NUMEROUS PRACTICAL ISSUES NEED TO BE ADDRESSED IF THE POINT OF DEMARCATION IS TO BE MOVED.**

- A. Procedures need to be established to guard against signal leakage.
- B. Procedures need to be established to trace the source of signal leakage if multiple providers serve the same MDU.
- C. Procedures need to be established to prevent one provider from denigrating the integrity of the other provider's network, for example, to prevent provision of internet access or telephony.
- D. Procedures need to be established to guard against theft of service.
- E. The only reasonable proposal to address the signal leakage and theft issues surrounding any change in the MDU broadband demarcation point is to require the installation of a neutral demarcation box, so that no MVPD or other unauthorized party will have any justification for tampering with the distribution facilities of another MVPD in the MDU. Procedures need to be established for the installation, management and recovery of costs associated with the neutral demarcation box.
- F. The Commission needs to address how the change in the demarcation point will affect the incentives of cable operators to upgrade their facilities in MDUs, particularly in light of overall policy of the 1996 Telecommunications Act to "accelerate rapidly private sector deployment of advanced telecommunications and information technologies and services," as well as the Commission's specific obligations under Sec. 706 of the 1996 Act.
- G. The Commission needs to consider whether one provider will be able to block the ability of the other provider to upgrade facilities in an MDU.
- H. The Commission needs to address how its rules interplay with State property and contract law which provide for different demarcations, ownership, or termination rights.
- I. The Commission needs to address how its rules interplay with State access to premises laws, under which many such facilities have been installed.
- J. The Commission needs to address the tax and accounting issues surrounding the transfer of ownership of millions of dollars of distribution infrastructure constructed by the cable industry.
- K. The Commission needs to establish a formula to provide just compensation for the facilities taken from the cable operator in connection with any change in the MDU point of demarcation.



NOTE: TWC LINK BOX SHOWN WITHOUT COVER ...

SYSTEM DESIGN SYMBOLS			
412" CABLE	TRUNK BRIDGING	LINE EXTENDER	2 WAY SPLITTER
500" CABLE	2 WAY TRUNK BRDG ALC.	2 WAY LINE EXTENDER	3 WAY SPLITTER
750" CABLE	2 WAY TRUNK	POWER SUPPLY & COUPLER	DIRECTIONAL COUPLER
1000" CABLE	2 WAY TRUNK BRDG W/ALC	IN LINE EQUALIZER	TAP 2 WAY
		TERMINATION	TAP 4 WAY
			TAP 8 WAY

<b>PARAGON</b> CABLE MANHATTAN		PROJECT NO	BLOCK	LOT
		TITLE <b>DETAIL OF 59US TO AND FROM NEUTRAL BOX PANEL</b>		
DATE	SCALE	DRAWN BY	DWG NO. <b>4</b>	